

## **REMARKS**

### **Status of the Claims**

Claims 1, 3, 5-7, 9-15, 17, 19-21 and 46-50 are pending in the application, claims 46 and 47 having been canceled herein, and claims 2, 4, 8, 16, 18 and 22-45 having been previously canceled. Support for the amendment to claim 1 can be found, for example, in paragraph [0069] of the specification.

### **Examiner Interview**

Applicant wishes to thank Examiner Tyson for the courtesy of an interview, which was extended to the undersigned on June 13, 2011. Applicant notes the Examiner's summary dated June 15, 2011, which is complete and accurate.

### **Rejection under 35 U.S.C. § 112, first paragraph**

Claims 1, 3, 5-7, 9-15, 17, 19-21 and 46-50 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Application respectfully traverses this rejection. See, for example, MPEP 2173.05(i): "If alternative elements are positively recited in the specification, they may be explicitly excluded in the claims. See *In re Johnson*, 558 F.2d 1008, 1019, 194 USPQ 187, 196 (CCPA 1977) ('[the] specification, having described the whole, necessarily described the part remaining.')."

Moreover, this rejection is moot in view of the amendment to claim 1.

Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, first paragraph, are requested.

### **Rejection under 35 U.S.C. § 103(a)**

Claims 1, 3, 5-7, 9-15, 17, 19-21 and 46-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hossainy et al., US 6,153,252 (Hossainy) in view of Bolz, US 6,287,332 B1 (Bolz). Applicant respectfully traverses this rejection.

Moreover, this rejection is moot in view of the amendment to claim 1. See paragraph [0069] of the present specification.

Reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are requested.

**Conclusion**

Should the Examiner be of the view that an interview would expedite consideration of the application, request is made that the Examiner telephone the Applicant's attorney at (703) 433-0510 in order that any outstanding issues be resolved.

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Respectfully submitted,

/David B. Bonham/

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